

Title I of the Rental Fairness Act will, for a limited period of 3 years, adopt a federal presumption that companies that rent motor vehicles need not be licensed to sell insurance products to their customers for the term of the rental. Recently, class action lawsuits have been filed in three states accusing these rental companies of selling insurance without a license—despite the fact these companies have been offering these products to their customers for almost three decades.

For many car and truck rental customers, these supplemental insurance purchases are not just a luxury—they are a necessity. For customers who carry minimal automobile insurance, or no insurance at all, the insurance products offered by car and truck rental companies are an important and inexpensive method of buying short-term, comprehensive insurance to protect themselves against accidents or theft. If this federal presumption is not adopted, these companies may cease to offer these products altogether—leaving many customers with no means of protecting themselves from potential liability during the rental of a motor vehicle.

The car and truck rental industry already has undertaken a huge effort to clarify their need to be licensed under each state's insurance laws on a state-by-state basis. To date, twenty-four states have clarified, either through regulation or legislation, their positions on this issue. Until the other states can act on this issue, Title I will offer this industry protection from these types of class action lawsuits.

Title I in no way undermines the primacy of the states in regulatory insurance. In fact, it specifically restates the primary role of the states in insurance regulation. Title I of the Act has the support of the trade associations representing insurance agents because these groups realize the rental companies do not compete directly with insurance agents on these types of face-to-face, rental transaction-specific insurance sales.

Title II of this act will pre-empt the laws of a small number of states that impose unlimited vicarious liability on companies that rent or lease motor vehicles. Normally under our system of jurisprudence, defendants in lawsuits are held liable based upon their actions or inactions only. Unfortunately, a small number of jurisdictions—six states and the District of Columbia—ignore his general principle this minority of states subject rental and leasing companies to unlimited liability for accidents caused by their customers that involve the company's vehicles—despite the fact that the company was not at fault for the accident in any way. This type of vicarious liability—liability without fault—holds these companies liable even when they have not been negligent in any way and the vehicle operated perfectly.

The measure I am introducing prevents states from holding companies liable for accidents involving their vehicles based solely upon their ownership of the vehicles. The bill makes clear that rental and leasing companies would still be liable if they negligently rent or lease the vehicle. The bill also would hold the companies liable if the vehicle did not operate properly. It makes clear that these companies are not, under this bill, excused from meeting state minimum insurance requirements on their motor vehicles.

Forty-four states have discarded the unfair and outmoded doctrine of vicarious liability for companies that rent or lease motor vehicles.

This problem attracted my attention because of the impact the policies of these small number of states have on interstate commerce. These vicarious liability states impose what amounts to a tax on rental and leasing customers nationwide. Rental and leasing companies must attempt to recover the roughly \$100 million they annually pay on vicarious liability claims from customers nationwide—not just from citizens in vicarious liability states. Smaller rental and leasing companies and licensees of the larger systems have been driven out of business by just one vicarious liability claim.

In addition, vicarious liability discourages competition in these states. There are motor vehicle rental companies that will not do business in these states for the fear of being held vicariously liable—reducing competition in these states and impacting all customers that rent or lease in these states. Finally, vicarious liability establishes an absurd legal disconnect. If a vehicle is purchased from a bank or finance company, then there is no vicarious liability. However, if that same vehicle is leased, vicarious liability applies.

For these collective reasons, Title II of the Act and the reforms it implements are long overdue. Everyone, companies and individuals alike, should be held liable only for harm they caused or could have prevented. The only way these companies can prevent this harm would be to go out of business. This is an absurd expectation that will be remedied by this bill.

I look forward to hearings on this matter and working with my colleagues to ensure its passage.

#### PERSONAL EXPLANATION

#### HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. CLEMENT. Mr. Speaker, on rollcall votes 145 and 146, I was unavoidably detained on official business. Had I been present, I would have voted "aye" on both measures.

#### RONALD & ARLENE HAUSER: MODELS FOR US ALL

#### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. BARCIA. Mr. Speaker, people who devote their lives to teaching young people many of life's diverse lessons provide one of the most valuable services that anyone can. This weekend, the members of Immanuel Lutheran Church in Bay City will come together to honor Ronald and Arlene Hauser for their years of teaching and music ministry, and leadership within the school and church. This is a most deserved tribute to two people who have touched the lives of literally thousands of young people, making a difference for many young people at an impressionable age.

Ron Hauser has been a Called Lutheran school teacher for forty five years, and Arlene Hauser has been a Called Lutheran school teacher for thirty six years. They have pro-

vided instruction to children and adults in reading, writing, arithmetic, music, and most importantly, God's love in Christ.

In 1954, Ron Hauser taught grades 1–4, served as Director of Music, and assisted the Sunday School, Bible Class, and Youth programs of Trinity Lutheran Church in West Seneca, New York. He went on to Peace Lutheran Church in Chicago in 1958, where he served as Principal. He went on to St. John's Lutheran Church in LaGrange, Illinois in 1968, before coming to Immanuel Lutheran Church in Bay City in 1988. Here he has been a teacher and Coordinator of Music, the Bible class teacher, organist, director of the Senior Choir, Men's Choir and Cantate Choir, as well as the school Advanced Band. He has also served in a number of professional and synodical positions with distinction.

Arlene Maier first taught at St. James Lutheran School in Grand Rapids in 1955. She and Ron Hauser married on June 23, 1956, and had three daughters—Lynn Little, Beth Peterson, and Ellen Nyahwihwiri. From 1964 through 1968 she was a preschool teacher and organist at Hope Lutheran School in Chicago, and then taught at St. John's Lutheran School in LaGrange, Illinois from 1968 through 1988. She also came to Immanuel in Bay City in 1988, where she taught 2nd grade, and directed the handbell choirs, the Women's Choir, Cherub Choir, and other special music activities.

Blessed with three daughters and nine grandchildren, Ronald and Arlene Hauser extended their own blessings to every person with whom they interacted throughout their careers of caring and devotion. Mr. Speaker, as they are honored at their retirement, I urge you and all of our colleagues to join me in thanking Ron and Arlene Hauser for their years of dedication and accomplishment, and in wishing them the greatest happiness possible as they move on to new activities.

#### H.R.—THE VALLEY FORGE NATIONAL CEMETERY ACT

#### HON. JOSEPH M. HOFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. HOFFEL. Mr. Speaker, earlier today I introduced the Valley Forge National Cemetery Act. This bill would establish a new national cemetery for our nation's veterans on land within the boundaries of Valley Forge National Historical Park. I am pleased to be joined in this effort by the entire Pennsylvania delegation.

The National Cemetery Administration is running out of space for the burial of deceased veterans of military service to the United States. New cemeteries must be established for our veterans. The Philadelphia National Cemetery in Pennsylvania and the Beverly National Cemetery and Finn's Point National Cemetery, both in New Jersey, are no longer open for in-ground, full casket burials, other than those who already have existing plots. There is also no national cemetery in the State of Delaware. Thus, the need for an additional national cemetery in our area is immediate.

Current population figures from the Department of Veterans Affairs show a population of

574,584 veterans in the 11-county Philadelphia region. The next decade will challenge the National Cemetery Administration to accommodate World War II and Korean War veterans, as well as veterans from the Vietnam era. Each of our veterans deserves the honor of burial in a national cemetery. In order to best be able to honor and remember their loved ones, families need to have access to those gravesites within a reasonable distance from their homes. The best opportunity to meet this need in the Philadelphia area is to dedicate existing federally owned property in the Valley Forge National Historical Park.

The Valley Forge National Historical Park is dedicated to the earliest American military veterans and the long winter of their suffering during the War of the American Revolution. Although no battle was fought on this land, it is nevertheless symbolic of our Nation's military valor and triumph over adversity. The bill will designate 100 acres of the 3,600 acre National Park for use as a national cemetery. The section of land north of the Schuylkill River would be the ideal location for the national cemetery. This area contains no historical markers and is separated from the rest of the park by the river. Dedication of this portion of the Historical Park as a national cemetery would thus add a solemn and appropriate place to honor and remember those who have served this country in the military.

Mr. Speaker, I urge swift consideration of this bill as an important and timely opportunity to honor our nations' military veterans.

#### PERSONAL EXPLANATION

#### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. ORTIZ. Mr. Speaker, because of official business in my District (27th Congressional District of Texas) I was absent for rollcall votes 147–154. If I had been present for these votes, I would have voted as indicated below.

Rollcall No.—Vote: 147—"yes"; 148—"yes"; 149—"yes"; 150—"yes"; 151—"Present"; 152—"no"; 153—"no"; and 154—"no".

#### CONGRATULATING THE RIDGEWOOD CHAMBER OF COMMERCE ON ITS 75TH ANNIVERSARY

#### HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Ridgewood Chamber of Commerce on its 75th anniversary as one of the leading business/civic organizations in New Jersey. The Ridgewood Chamber has played a leading role in making Ridgewood the first-rate place to live, work and raise a family that it is today. I know—I have lived most of my life in Ridgewood and raised my family there. From President Lawrence Keller through each and every business that is a member, these are people who truly care about their community.

The Ridgewood Chamber of Commerce was founded in 1898 as the Businessmen's Asso-

ciation of Ridgewood, changing its name in 1924. The mission of the organization has remained the same over the years—to "develop and advance the business, professional and civic interests of Ridgewood."

Today's Chamber of Commerce is a voluntary organization of individuals, businesses, professionals and organizations dedicated to advancing the commercial, financial, civic and general interests of Ridgewood. The Chamber acts as a public relations counselor, representative to local government, a problem solver, information and resource center, and coordinator of business and professional programs and promotions. The Chamber promotes the maintenance of a dignified and successful business and professional district.

Membership represents almost every facet of our business/professional community, including merchants, doctors, lawyers, bankers, newspaper editors, business owners/managers, civic leaders and clergy. A 10-member Board of Directors sets goals and policy carried out by the five officers—President Lawrence Koller of Koller Financial Group, Vice President Joan Groome of the YWCA of Bergen County, Treasurer Kenneth Porkka of Kenneth Porkka & Co., Secretary Sally Jones of Valley Hospital and Past President Tom Hillmann of Hillmann Electric. Executive Director Angela Cautillo is responsible for day-to-day operations.

The Chamber of Commerce brings a sense of unity to our business community. Ridgewood is a regional business center, growing larger and stronger every day. The Chamber successfully pursues its mission to promote Ridgewood and its businesses through effective advertising, planned events, community service, networking and education of the public. The Chamber is true to the entrepreneurial spirit of our free enterprise system. That spirit has been and always will be at the heart of our American democracy.

The Chamber's activities go beyond just promoting the business interests of our community. The Chamber annually sponsors Easter in Ridgewood, the Ridgewood Car Show, the Santa Parade and the Downtown for the Holidays festival. These are all programs that enrich our community.

I ask my colleagues to join me in congratulating the Ridgewood Chamber of Commerce on a successful 75 years and wishing the Chamber and its members many more years of continued success and prosperity.

#### TRIBUTE TO THE KANKAKEE-IROQUOIS REGIONAL PLANNING COMMISSION

#### HON. STEPHEN E. BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. BUYER. Mr. Speaker, I rise today to give tribute to the Kankakee-Iroquois Regional Planning Commission, which for the past 25 years has improved the economics, health, and well-being of the residents in North Central Indiana.

The Kankakee-Iroquois Regional Planning Commission (KIRPC) has been an integral part in generating community and economic development opportunities for the citizens and local communities of Indiana since July 2,

1973. The KIRPC continues to be a positive influence upon the regional economic well-being by helping communities and residents in North Central Indiana maintain their economic viability.

The Commission has been instrumental in providing a means of communication between local, state, and federal government organizations and the citizens of North Central Indiana. The KIRPC monitors an Overall Economic Development Plan that helps to identify the needs of people and businesses within the community, while reducing government waste. In addition, it has been a valuable partner in helping the region's development through such programs and services as grants-in-aid; grants administration; comprehensive planning; and forums to address local issues. The KIRPC has also helped the people in the region with transportation needs by providing the Arrowhead County Public Transit Service which provides more than 150,000 routes annually.

The KIRPC was key in helping bring Head Start to the area in 1997. The Head Start program now provides services for 122 children and supplies necessary developmental services for the children; all within an education setting.

I commend the Kankakee-Iroquois Regional Planning Commission for its unwavering support to the region by providing a wide range of services and programs. I wish the Commission continued success in its endeavor to make a difference in the lives of the citizens of Indiana.

#### TRIBUTE TO FIRST LIEUTENANT JAMES F. MUELLER

#### HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 26, 1999*

Mr. CAMP. Mr. Speaker, I rise to pay tribute to First Lieutenant James F. Mueller of Houghton Lake, Michigan, who will retire from the Michigan State Police on May 29.

I would like to draw the attention of my colleagues in the U.S. House of Representatives and my constituents in the 4th Congressional District to First Lieutenant Mueller's distinguished career.

For three decades, First Lieutenant James F. Mueller has served his country and his community. Soon after graduating from Valparaiso University in Indiana, he enlisted in the U.S. Army and fought for his country in the fields of Vietnam, earning numerous service awards.

He returned home in 1971 and began his career with the Michigan State Police. In 1987, he was promoted to First Lieutenant at Houghton Lake Post #75. He soon became more than a state trooper to the residents of northern Michigan; he became a role model to young children and a key figure in the creation of the D.A.R.E. drug use prevention program in local schools.

In addition to his professional career, First Lieutenant James F. Mueller's extensive personal community service proves his dedication to his neighbors. He is a member of the Lions and Kiwanis, has served in the United Way and Houghton Lake Merchant's Association and has served on the board of directors for the St. John's Lutheran Church, the River House Shelter and Roscommon County 911.